

# WORKMAN NYDEGGER & SEELEY

ATTORNEYS AT LAW  
A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE (801) 533-9800  
FACSIMILE (801) 328-1707

RICK D. NYDEGGER  
DAVID O. SEELEY  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
GREGORY M. TAYLOR  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE†  
DAVID B. DELLENBACH  
KEVIN K. JOHANSON  
R. BURNS ISRAELSEN  
DAVID R. TODD

L. DAVID GRIFFIN  
FRASER D. ROY  
CARL T. REED  
JESÚS JUANÓS I TIMONEDA, Ph.D.  
R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
ADRIAN J. LEE  
DAVID B. TINGEY  
L. REX SEARS, Ph.D.  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
WILLIAM R. RICHTER\*  
† ADMITTED ONLY IN CALIFORNIA  
\* ADMITTED ONLY IN PENNSYLVANIA  
H. ROSS WORKMAN  
OF COUNSEL

PATENTS  
TRADEMARKS  
COPYRIGHTS  
TRADE SECRETS  
UNFAIR COMPETITION  
LICENSING  
COMPLEX LITIGATION

MAILING ADDRESS:  
P.O. BOX 45882  
SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspatent.com>  
GENERAL E-MAIL: [info@wnspatent.com](mailto:info@wnspatent.com)

RECEIVED  
JUL 27 2001  
OFFICE OF PETITIONS

FILED VIA HAND DELIVERY

PATENT APPLICATION  
Docket No: 13768.200.14.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application: 08/994,674  
Examiner: P. Caldwell  
Art Unit: 2151

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.60, of pending prior application Serial No. 08/994,674, filed on December 19, 1997, of William G. Parry for STREAM CLASS DRIVER FOR COMPUTER OPERATING SYSTEM.

A. Enclosures.

Enclosed are the following documents:

X A complete copy of the prior application.

\_\_\_\_ Drawings comprising \_\_\_\_\_ pages of \_\_\_\_\_ figures.

X A Declaration at page 5 hereof verifying the application and drawings above to be true copies of the same filed in the prior application.

- ☒ A copy of the oath or declaration as originally filed in the parent application.
- ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
- ☐ A Certificate of Mailing by "Express Mail" certifying a filing date for the enclosed application of by use of Express Mail Label No. .
- ☐ A Preliminary Amendment is enclosed, including a transmittal letter with fee calculation and Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the additional fees required.
- ☒ Check No. 122143 in the amount of \$690.00 covering the filing fee.
- ☐ An Associate Power of Attorney.

B. Instructions.

- ☐ Cancel in this application original claims of the prior application before calculating the filing fee.
- ☒ Amend the specification by inserting before the first line the sentence: -- This application is a continuation of application Serial No. 08/994,674, filed December 19, 1997. --
- 
- ☒ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- ☒ Please address all future correspondence in connection with the above-identified patent application to the attention of:

RICK D. NYDEGGER  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111

C. Averments.

The prior application is assigned of record to Microsoft Corporation, as recorded at reel 8936, frame 0562 (3 pgs).

- ☒ The power of attorney currently in effect in the prior application is to: patent agents listed under the following Customer Number:



022913

PATENT TRADEMARK OFFICE

\_\_\_\_\_ The power appears in the originally filed papers of the prior application.

X Since the power does not appear in the originally filed papers of the prior application, a copy of the power currently in effect in the prior application is enclosed.

D. Payments

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$		\$690
TOT. CLAIMS	-20=		X 9=		X 18=	
IND. CLAIMS	-3=		X 39		X 78=	
MULTIPLE DEPENDENT CLAIM			+130=		+260=	
			<b>TOTAL</b>		<b>TOTAL</b>	\$690

\_\_\_\_\_ Please debit Deposit Account No. 23-3178 in the amount of \$ \_\_\_\_\_ for the government filing fee. Triplicate copies of this sheet are attached.

X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178. Copies in triplicate of this sheet are enclosed.

X Any patent application processing fees under 37 C.F.R. § 1.17.

\_\_\_\_\_ The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

DECLARATION

I hereby certify that the attached papers are a true copy of the prior application Serial No. 08/994,674, filed December 19, 1997.

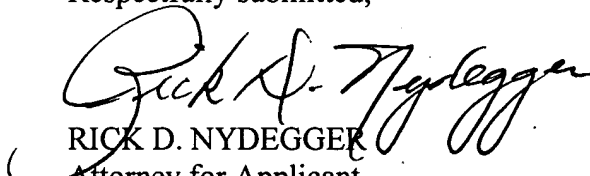
The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and

09819085 072701

the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 25<sup>th</sup> day of July, 2001.

Respectfully submitted,

  
RICK D. NYDEGGER  
Attorney for Applicant  
Registration No. 28,651



**022913**

PATENT TRADEMARK OFFICE

RDN:jjrj

G:\DATA\WPDOCSRN\MICROSOFT\OTHERDOC\Con trx 200.14.1.doc

10/22/01 5:06 PM